



LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

510 S. Vermont Avenue Los Angeles, CA 90020-1975. (213) 738-2981. <http://openspacedistrict.lacounty.info>

January 21, 2014

The Honorable Board of Directors
County of Los Angeles
Regional Park and Open Space District
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

1-P January 28, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Directors:

**ALLOCATE CITIES EXCESS FUNDS TO THE CITY OF MALIBU AND COUNTY EXCESS FUNDS
TO THE DEPARTMENT OF BEACHES AND HARBORS AUTHORIZE AWARD AND
ADMINISTRATION OF AN EXCESS FUNDS GRANT TO THE DEPARTMENT OF BEACHES AND
HARBORS FOR
THE DAN BLOCKER BEACH GENERAL IMPROVEMENTS PROJECT
(THIRD DISTRICT)
(3 VOTES)**

SUBJECT

Approval of the recommended actions will allocate \$200,000 in Cities Excess Funds and \$500,000 in County Excess Funds for a grant to the Department of Beaches and Harbors for general improvements at Dan Blocker Beach.

IT IS RECOMMENDED THAT THE BOARD:

1. Find the Additional Access Improvements Project included within the Dan Blocker Beach General Improvements Project categorically exempt from the California Environmental Quality Act because the Project involves restoration or rehabilitation of an existing facility, replacement of an existing structure with a new structure of substantially the same purpose and capacity, construction of new accessory structures, and minor alterations in the condition of land, and for the reasons stated herein and the reasons reflected in the record of the Project.
2. Allocate \$200,000 of Cities Excess Funds available to the Third Supervisorial District to the City of Malibu for a grant, to be awarded after the City of Malibu assigns the right to apply, to the Department of Beaches and Harbors for the Dan Blocker Beach General Improvements Project.

3. Allocate \$500,000 of County Excess Funds available to the Third Supervisorial District to the Department of Beaches and Harbors for the Dan Blocker Beach General Improvements Project.
4. Authorize the Director of the Department of Parks and Recreation, in his capacity as Director of the Los Angeles County Regional Park and Open Space District, to award a grant in the amount of \$700,000, after the City of Malibu assigns its right to apply for \$200,000 of Cities Excess Funds, to the Department of Beaches and Harbors when applicable conditions have been met, and to administer the grant as of the date of award and pursuant to guidelines in the Procedural Guide for Specified, Per Parcel, and Excess Funds Projects; otherwise, funds shall remain in the Excess Funds account.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will allocate \$200,000 in Cities Excess Funds and \$500,000 in County Excess Funds, available to the Third Supervisorial District pursuant to the Safe Neighborhood Parks Proposition of 1996 (1996 Proposition), to the Department of Beaches and Harbors (DBH) for the Dan Blocker Beach General Improvements Project (Project), which includes the Additional Access Improvements Project (AAIP) at Dan Blocker Beach.

The Project consists of improvements to Dan Blocker Beach, located at 26200 Pacific Coast Highway in the City of Malibu (Malibu), to provide improved public beach access. Improvements to occur on the undeveloped west segment of Dan Blocker Beach include a new parking lot, a public restroom building, a small picnic area, and public view areas as well as landscaping and walkway improvements. The AAIP portion of the Project consists of repairing and refurbishing an existing at-grade public access stairway as well as developing a new at-grade Americans with Disability Act (ADA) beach access ramp along the east segment of Dan Blocker Beach.

The total cost for the Project is estimated at \$5,500,000. The recommended \$700,000 in Cities and County Excess Funds will be supplemented with \$1,243,000 in prior-year net County cost and \$3,557,000 from the Vehicle License Fee Gap Loan Special Fund.

It is also recommended that the Director of the Department of Parks and Recreation (Director), in his capacity as Director of the Los Angeles County Regional Park and Open Space District (RPOSD), be authorized to award a grant to DBH for the Project after Malibu assigns the right to apply for \$200,000 in Cities Excess Funds and when applicable conditions have been met, such as grantee qualifications, consistency between the projects and requirements of the 1996 Proposition, and grantee agreement to follow California Environmental Quality Act (CEQA) requirements for the Project, and to administer the grant pursuant to the Procedural Guide previously approved by your Board.

To meet the eligibility requirement of Excess Funds, a grantee must have expended or committed to expenditure all of the funds allocated to that grantee in the Safe Neighborhood Parks Propositions of 1992 and 1996 (1992 and 1996 Propositions A). Of the \$38,000,000 allocated in the 1992 and 1996 Propositions A to DBH, \$2,696,370 remains unspent. As a result of the unspent funds, the Excess Funds for the Project will be awarded to DBH after the Board's approval of the recommendations, but will only be available to DBH for reimbursement of eligible Project costs when the unspent \$2,696,370 is also committed to expenditure through an executed Grant Project Agreement (Agreement).

In a related item on the Board's agenda, DBH is requesting that the Board authorize the Acting

Director of DBH to enter into an Agreement for the Project. The Board's approval of DBH's project proposal for the \$2,696,370 will also be sought on a separate agenda item in the near future.

Implementation of Strategic Plan Goals

The proposed recommendations further the Board approved County Strategic Plan Goals of Operational Effectiveness (Goal 1) by enhancing safety and accessibility at Dan Blocker Beach in the Third Supervisorial District.

FISCAL IMPACT/FINANCING

Sufficient appropriation for the Project grant, in the amount of \$700,000, is budgeted in the Third Supervisorial District's portion of the RPOSD Excess Funds Project Fund, HD6.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The 1996 Proposition requires that agencies to which funds were allocated under the 1992 and 1996 Propositions A expend or commit to expenditure all such funds prior to receiving grants of Excess Funds. Malibu meets this requirement, and after the commitment of the \$2,696,370 from the 1992 and 1996 Proposition A, DBH will meet this requirement.

The 1996 Proposition provides a method for determining each fiscal year the amount of funds available in the following fiscal year to fund capital improvement projects in addition to the amounts specifically identified for projects in the 1992 and 1996 Propositions A. The recommended Project grant would be funded from the Excess Funds available to the Third Supervisorial District for Cities and County projects.

The Board may establish additional conditions on grants of Excess Funds. The Director will be authorized to award a grant to DBH when all applicable conditions have been met. Any funds allocated by the Board, but not encumbered by award of a grant contract in the same fiscal year, shall be available for allocation by the Board in the following fiscal year.

On June 2, 2009, the Board approved the Procedural Guide, for governing the administration of RPOSD grants. The Procedural Guide will govern the administration of the recommended grant as well.

ENVIRONMENTAL DOCUMENTATION

All public agency projects funded by RPOSD are required to comply with the CEQA as a condition of the grant. The lead agency is responsible for preparing the appropriate environmental documentation for the Project. The County of Los Angeles is the lead agency for the proposed AAIP at the east segment of Dan Blocker Beach.

The AAIP at the east segment of Dan Blocker Beach is categorically exempt from CEQA. The AAIP, which consists of repairing and refurbishing an existing at-grade public access stairway and developing a new at-grade ADA beach access ramp along the east segment of Dan Blocker Beach, is within certain classes of projects that have been determined not to have a significant effect on the environment in that it meets criteria set forth in Sections 15301(c) and (d), 15302(b), 15303(e), and 15304(a) of the State CEQA Guidelines, and Classes 1(c) and (f), 2(a), 3(b), and 4(a) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G, because the proposed

AAIP involves restoration or rehabilitation of an existing facility, replacement of an existing structure with a new structure of substantially the same purpose and capacity, construction of new accessory structures and minor alterations in the condition of land.

The AAIP includes no expansion of an existing use. Structures replaced will be located on the same site as existing structures and will have the same purpose and capacity, and will not involve the removal of healthy, mature trees. Additionally, the AAIP is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the project records.

On October 30, 2012, the Board adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project at the west segment of the Dan Blocker Beach. Subsequently, ADA beach access improvements were relocated from the proposed location on the west side of the beach to the east segment of Dan Blocker Beach which is more utilized by pedestrians. This location change has resulted in establishment of the AAIP.

CONTRACTING PROCESS

An Agreement will be entered into and administered under authority delegated to the Director and pursuant to the Procedural Guide approved by the Board in 2009 only if all applicable conditions of the grants have been met. The Agreement will be approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended projects will enhance safe and accessible recreational opportunities at Dan Blocker Beach in the Third Supervisorial District.

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to return one adopted copy of this Board letter to the Chief Executive Office, Facilities and Asset Management Division, and to the Department of Parks and Recreation.

The Honorable Board of Supervisors

1/21/2014

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Russ Guiney", with a stylized, flowing script.

RUSS GUINEY

Director

RG:JB:WRO

c: Executive Officer, Board of Supervisors
County Counsel
Chief Executive Officer